

AFFIDAVIT IN SUPPORT OF
APPLICATION FOR A SEARCH WARRANT

I, Dana Schlenger, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) currently assigned to the Gang/Criminal Enterprise Squad. I have been a Special Agent with the FBI since January of 2020 and prior to becoming a Special Agent, I was an Analyst with the FBI starting in June 2015. My current duties at the FBI are to investigate violations of federal drug laws and other violent crimes. As part of these duties, I have served as an investigator on illegal narcotics and violent gang investigations. During my training at the FBI Academy, Quantico, Virginia, I received training in a variety of investigative and legal matters, including the topics of Fourth Amendment searches, the drafting of search warrant affidavits, and probable cause.

2. I have been personally involved in investigations concerning firearms and the possession, manufacture, distribution, and importation of controlled substances, as well as methods used to finance drug transactions. I have experience using Internet search engines, social media websites/applications such as "Facebook," "Snapchat," "Twitter," and "Instagram" to assist in criminal investigations.

3. I have utilized the aforementioned instruction and experience in the performance of my duties by initiating, participating, and coordinating numerous criminal investigations involving firearms and narcotics. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other members of law enforcement and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. I am currently working on a FBI investigation in the Western District of Missouri targeting Ublester **MOLINA**, Kevin O. Alarcon, Robert Manley Jr., Bernard Kelly, Rocky

Orozco, and others for violations of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), 846; and 18 U.S.C. § 875 (b) and (c).

5. I make this affidavit in support of a search warrant for information associated with Facebook Account “**ubie.molina.5**”, display name “**Solo Dolo**”, Account Number **100009513342174** (hereinafter the “**Target Account**”), believed to be used by **MOLINA**, that is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc. (“Facebook”), a social networking company headquartered at 1601 Willow Road, Menlo Park, California.

6. The information to be searched is described in more detail in Attachment A. As set forth below, the location to be searched is believed to contain items, more fully described in Attachment B, which constitute evidence, fruits, and instrumentalities of the subject offenses, as well as the identification of individuals participating in the commission of the subject offenses.

7. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), 846; and 18 U.S.C. § 875(b) and (c), have been committed by **MOLINA** and others known and unknown. There is also probable cause to search the information described in Attachment A for evidence of these crimes, as described in Attachment B.

JURISDICTION

8. This Court has jurisdiction to issue the requested warrant because it is a “court of competent jurisdiction” as defined by 18 U.S.C. § 2711, 18 U.S.C. § 2703(a), (b)(1)(A), and (c)(1)(A). Specifically, the Court is a “district court of the United States... that – has jurisdiction over the offense being investigated.” 18 U.S.C. §2711(3)(A)(i).

PROBABLE CAUSE

9. On May 31, 2022 Ismael Torres-Maldonado was indicted in the Western District of Missouri for conspiracy to distribute 5 kilograms and more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, and 500 grams and more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Sections 841(A)(1), (b)(1)(A), and 846¹.

10. Torres-Maldonado was stopped by Illinois State Police on February 8, 2022, in Williamson County, Illinois for speeding while driving his white Jeep Cherokee bearing North Carolina license plate EDM-2496. The Trooper conducted a probable cause search of the vehicle, which yielded five kilograms of cocaine and one kilogram of methamphetamine.

11. Torres-Maldonado was arrested and read his *Miranda* rights. Torres-Maldonado acknowledged he understood his *Miranda* rights and waived them. Torres-Maldonado told investigators this was the fourth trip he had taken transporting drugs from Kansas City, Missouri, to Whiteville, North Carolina. Torres-Maldonado said that an individual he knew from Whiteville who went by "BRMO" paid him \$3,000 per trip to transport cocaine.

12. Investigators showed Torres-Maldonado a photo of Ublester **MOLINA**, and Torres-Maldonado confirmed that was the individual he knew as "BRMO" was **MOLINA**. Investigators showed Torres-Maldonado a photo of Kevin Alarcon, and Torres-Maldonado confirmed that was the individual he knew as "Smokey" was Alarcon.

13. Torres-Maldonado described to investigators a house in Kansas City, Missouri matching the description and location of Alarcon and **MOLINA**'s residence located at 124 North Topping Avenue, Kansas City, Missouri. Torres-Maldonado stated he was at that house in Kansas City when Alarcon and **MOLINA** wrapped the drugs found in his possession in Illinois in Christmas themed wrapping paper as if they were presents. Alarcon and **MOLINA** then loaded the wrapped

drugs in Torres-Maldonado's vehicle for transport to North Carolina for delivery to an individual investigators believed to be Rogelio Noyola. Torres-Maldonado also observed an estimated \$80,000 to \$90,000 in stacks of United States currency and several firearms inside of 124 North Topping Avenue.

14. Investigators confirmed through a review of covert video surveillance of 124 North Topping Avenue that on February 7, 2022, Alarcon, Torres-Maldonado, and two other males exited a black BMW in front of the residence at approximately 2:05 p.m. At approximately 5:31 p.m. Torres-Maldonado's White Jeep Cherokee arrived at the residence and one male exited the vehicle and entered the residence. The white Jeep Cherokee departed and turned up the block, likely going down the alley behind the residence. That was the last observation of the of the white Jeep Cherokee by investigators prior to its stop by Illinois State Police. If the white Jeep Cherokee used the alley, investigators would not have been able to observe its departure on the covert video surveillance.

15. On February 23, 2022, the FBI was made aware that the girlfriend of Torres-Maldonado had received numerous threatening communications through text message, telephone calls, and Facebook messenger from several parties. One of the threats came via telephone from an individual who identified himself as "Smokey." Other threats came through Facebook messenger from the account "Solo Dolo." "Solo Dolo" was using Facebook messenger without a companion Facebook profile. Based on the content of the threatening messages and the **Target Account** which has a display name of "Solo Dolo," which appears to be used by **MOLINA**, investigators believe **MOLINA** utilized the "Solo Dolo" Facebook account to send the threatening Facebook messenger messages in February of 2022. Some of the threats included² "YOU HAVE 2 KIDS, ITS NOT WORTH IT...Cartel is NOT PLAYING NO more.!!!"; "not worth loosing your loved ones over"; "Yes they have ALL YOUR INFORMATION too... They have EVERYTHING." "Solo Dolo" then sent a picture of the girlfriend's children and wrote "I tried to help Goodbye."

¹ Case number 22-001123-01-CR-W-BCW.

16. The other threats made to the girlfriend included phone calls and text messages threatening harm to the girlfriend and Torres-Maldonado's family members if they did not provide the location of Torres-Maldonado, the return of \$160,000 (the estimated value of the methamphetamine and cocaine seized from Torres-Maldonado), or a guarantee of Torres-Maldonado's silence with proof of his whereabouts. The threats resulted in the North Carolina Division of Social Services placing Torres-Maldonado's girlfriend's children in foster care until the threats were resolved.

17. On February 20, 2022, **MOLINA**'s known telephone number had ten outgoing calls and text messages to the girlfriend of Torres-Maldonado, and she stated the calls were threatening in nature. Additionally, she had received several threatening text messages from Voice over Internet Protocol (VoIP) telephone numbers (323) 689-0686 and (323) 999-2247 which were serviced by Pinger, Inc. Pursuant to administrative subpoenas to Pinger, Inc. accounts for both the VoIP numbers were created on February 22, 2022. The email account used to create the accounts was 420bryanmartinez@gmail.com. "Bryan Martinez" has consistently been listed as the subscriber for three known telephone numbers for **MOLINA**, including the previously mentioned known phone number that made the ten outgoing calls to Torres-Maldonado's girlfriend. The service provided by Pinger, Inc. allows the user to have an app on his or her cellular device that allows the user to call from the assigned Pinger phone number and not the telephone number of the physical device they are using. Investigators believe **MOLINA** installed the application on the previously mentioned known telephone to anonymize the threats to Torres-Maldonado's girlfriend and thwart law enforcement's effort to identify the identity of the sender.

18. Investigators believe based on the above that **MOLINA** has a Facebook account with the username of "**ubic.molina.5**", display name "**Solo Dolo**", and **UID 100009513342174**. Upon review of the **Target Account**, investigators recognized the photos posted to the account to be that

² All of the following threats are listed as they were seen on Facebook, without corrections to spelling or grammar.

of **MOLINA**. Photos posted to the account showed **MOLINA** with large sums of cash, displaying gang signs, and photos of **MOLINA** with Alarcon. Investigators believe that based on the content of the posts, the photographs containing **MOLINA**, and the display name of "Solo Dolo," that **MOLINA** is the user of the **Target Account**. The last publicly available activity on the account was April 17, 2022.

19. Based on the facts submitted above, your affiant believes that **MOLINA** is using, and will continue to use, the **Target Account** to facilitate his participation in a drug trafficking conspiracy, including making threatening communications to those he believes jeopardize the drug trafficking conspiracy.

FACEBOOK

20. Facebook (Meta Platforms, Inc.) owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

21. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

22. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request"

accepts the request, then the two users will become “Friends” for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user’s account includes a list of that user’s “Friends” and a “News Feed,” which highlights information about the user’s “Friends,” such as profile changes, upcoming events, and birthdays.

23. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create “lists” of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

24. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post “status” updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming “events,” such as social occasions, by listing the event’s time, location, host, and guest list. In addition, Facebook users can “check in” to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user’s profile page also includes a “Wall,” which is a space where the user and his or her “Friends” can post messages, attachments, and links that will typically be visible to anyone who can view the user’s profile.

25. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to “tag” (*i.e.*, label) other Facebook users in a photo or video. When a

user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook's purposes, the photos and videos associated with a user's account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them.

26. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to e-mail messages, are sent to the recipient's "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a Chat feature that allows users to send and receive instant messages through Facebook. These chat communications are stored in the chat history for the account. Facebook also has a Video Calling feature, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

27. If a Facebook user does not want to interact with another user on Facebook, the first user can "block" the second user from seeing his or her account.

28. Facebook has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook users can "like" Facebook posts or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook users can also become "fans" of particular Facebook pages.

29. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

30. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through

the account, such as “liking” a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user’s Facebook page.

31. Facebook Notes is a blogging feature available to Facebook users, and it enables users to write and post notes or personal web logs, or to import them from other services, such as Xanga, LiveJournal, and Blogger.

32. The Facebook Gifts feature allows users to send virtual “gifts” to their friends that appear as icons on the recipient’s profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other “pokes,” which are free and simply result in a notification to the recipient that he or she has been “poked” by the sender.

33. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

34. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications (“apps”) on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user’s access or use of that application may appear on the user’s profile page.

35. Facebook uses the term “Neoprint” to describe an expanded view of a given user profile. The “Neoprint” for a given user can include the following information from the user’s profile: profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends’ Facebook user identification numbers; groups and networks of which the user is a member, including the groups’ Facebook group identification numbers; future and past event postings; rejected “Friend” requests; comments; gifts; pokes; tags; and information about the user’s access and use of Facebook applications.

36. Facebook also retains Internet Protocol (“IP”) logs for a given user ID or IP

address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

37. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

38. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information and other account information.

CONCLUSION

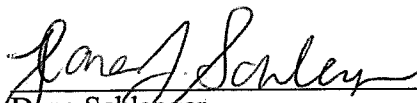
39. Based upon the foregoing information, I believe that probable cause exists to establish that the **Target Account** contains items which are evidence, fruits, and/or instrumentalities of violations of federal law, including, but not limited to, 21 U.S.C. §§ 841(a)(1), (b)(1)(A), 846, and 18 U.S.C. § 875 (b) and (c), which is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc. (Facebook), 1601 Willow Road, Menlo Park, California.

40. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not

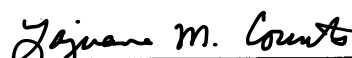
required for the service or execution of this warrant. Because the warrant will be served on a service provider, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrants at any time in the day or night.

41. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court, except for use by the United States as it deems necessary to further the investigation and/or prosecution of the ongoing criminal investigation. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize the investigation.

FURTHER AFFIANT SAYETH NAUGHT.


Dana Schlenger
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me via telephone or other reliable electronic means on
this 16th day of June 2022. Sworn to by telephone
10:20 AM, Jun 16, 2022


HONORABLE LAJUANA M. COUNTS
United States Magistrate Judge
Western District of Missouri

